

REMARKS

Applicants note the withdrawal of the finality of the previous Office Action (P.N. 30) on the basis of the new grounds of rejection.

Claims 1-6, 8-38, 42-57 and 74-76 are under consideration. All of the claims stand rejected, except for claim 10 which has been objected to by the Examiner. Claim 10 has been rewritten in independent form, including all of the limitations of the base claim (1) and any intervening claims (8 and 9), in accordance with the Examiner's suggestion and should thus be allowable.

Applicants' invention is a blast resistant container. In one embodiment, the container is comprised of at least three bands of material with the first inner band being nested within a second band, which is nested within a third band. The outermost band is substantially seamless and blast resistant. These bands are oriented so as to substantially enclose a volume and to form a container wall having a thickness substantially equivalent to the sum of the thicknesses of at least two of the bands. In a variation of this embodiment, the three bands are formed of a composite material with the first, inner band being rigid. The present invention is also a composite strip attached to and reinforcing a blast resistant container. The composite strip comprises a tape of unidirectional high strength fibers or oriented film encircling the container in a hoop direction at least once. These containers can withstand tremendous pressures and resist pulling apart after an explosion therein.

Claims 1, 8, 11-38, 43-57 and 74-76 stand rejected under 35 USC§102(b) as being anticipated by Sacks (USP5,249,534). Applicants respectfully traverse this rejection and request its withdrawal, for the reasons that follow.

It is the Examiner's position that Sacks teaches three bands, the third of which is substantially seamless, as well as the rigid support structure and use of SPECTRA® material. Applicants respectfully disagree with the notion that Sacks teaches three bands. Applicants' specification defines a "band" as "a thin, flat, volume-encircling strip" on page 10, lines 13-14. The panels of material described by Sacks at col. 1, lines 65-68, and col. 1, line 68, to col. 2, line 4, are not "bands" as defined by Applicants since they are U-shaped

panels that fail to encircle anything individually. In fact, Sacks teaches use of these panels in forming a cover for a container, and there is no coverage for the container's base. As such, the Sacks' panels also fail to substantially enclose a volume, as required by Applicants' claims.

With respect to Applicants' claim 37 and all claims dependent directly or indirectly therefrom (claims 38, 42-57), Sacks' third panel in no way teaches or suggests a "band" of material which encircles a blast resistant container to at least partially cover an access opening to the container. The third panel of Sacks simply constricts/holds down the other two panels.

With respect to Applicants' claims 15, 30, 46 and all claims dependent directly or indirectly therefrom (claims 16-20), Sacks fails to teach or suggest that at least about 75 weight percent of the fibers should be substantially continuous lengths of fiber that encircle anything, much less an enclosed volume. See Applicants' Example 6.

With respect to Applicants' claim 38, Sacks fails to teach or suggest that a panel/"band" slide on the container for any purpose. Sacks, in fact, teaches against slide capability by specifying that its third panel be wound around the first two panels, preferably in multiple turns (a "band"), "to hold the other two panels more firmly in place." See Sacks, column 4, lines 29-32. See Applicants' specification, sentence bridging pages 10-11, regarding sliding bands.

Claims 2-6 and 42 stand rejected under 35 USC§103(a) as being unpatentable over Sacks in view of Lewis (USP 674,009). Applicants respectfully traverse this rejection and requests its withdrawal for the reasons that follow.

It is the Examiner's position that Sacks discloses the claimed invention except for the first and second panels being tubes, and this is met by the teachings of Lewis. Applicants respectfully disagree. As discussed previously, Sacks fails to teach or suggest that its first two panels are bands, as claimed by Applicants. It cannot teach that they are tubes. Furthermore, Sacks fails to teach or suggest that its panels should substantially enclose a volume.

The combination of Sacks and Lewis is inapposite. There is absolutely no motivation for one of ordinary skill in the art of blast containment to combine these two references based on the claims currently on file and under consideration. Lewis has absolutely nothing to do with blast containment. It is simply a collapsible cardboard/paper box. Note the date of issuance, i.e., 1901. It is respectfully submitted that one of ordinary skill in the art, even with the Sacks reference available, would not look to Lewis for container structure to enhance blast resistance. The substantially seamless outermost band of the claimed invention is different from the bands of Lewis. The Lewis bands must only abut, not overlap, and not cover the edges/joints as required by Applicants' claimed invention. Lewis therefore cannot and does not address the "why" of the construction for blast resistance.

Claims 9 and 11 stand rejected under 35 USC§103(a) as being unpatentable over Sacks in view of Rosenbloom, Jr. et al. (USP 4,290,468). Applicants respectfully traverse this rejection and requests its withdrawal for the reasons that follow.

It is the Examiner's position that Sacks discloses the claimed invention except for the rigid support frame, and this is met by the teachings of Rosenbloom, Jr. et al. Applicants respectfully disagree. As discussed previously, Sacks fails to teach or suggest a rigid support structure for a blast resistant container, as claimed by Applicants, since Sacks fails to teach or suggest that its blast resistant panels should substantially enclose a volume.

The combination of Sacks and Rosenbloom, Jr. et al. is inapposite. There is absolutely no motivation for one of ordinary skill in the art of blast containment to combine these two references based on the claims currently on file and under consideration. Rosenbloom, Jr. et al. has absolutely nothing to do with blast containment.

In light of the comments above, it is respectfully submitted that none of these references either teaches or suggests that the containers are blast resistant or that the outermost band is both blast resistant and substantially seamless, and therefore, this rejection should be withdrawn.

Applicants respectfully submit that the foregoing amendment and remarks place the claims in condition for allowance and request that this case

Serial No.: 08/532 589 Filed September 25, 1995

be passed to issue. If there are any unresolved issues, the Examiner is invited to telephone Applicants' attorney.

Respectfully submitted,  
IGOR PALLEY ET AL.

By: Virginia Szigeti Andrews  
Virginia Szigeti Andrews  
Applicants' Attorney  
Reg. No. 29,039

Honeywell International Inc.  
15801 Woods Edge Road  
Colonial Heights, VA 23834  
(804) 520-3651

368-7769 VSA

I hereby certify that this correspondence is being sent via facsimile 703-305-3579 to Examiner Niki Eloshway, on December 26, 2001.

Virginia Szigeti Andrews  
Virginia Szigeti Andrews

Version with markings to show changes made to claim 10

10. (amended) A blast resistant container comprising a rigid support structure and at least three bands of a material, a first inner band being nested within a second band which is nested within a third band, said bands being oriented relative to one another to substantially enclose a volume and to form a container wall having a thickness substantially equivalent to the sum of the thicknesses of at least two of the bands, the outermost band being substantially seamless and blast resistant, said rigid support structure comprising a low density, lightweight polymeric or metallic band nested within said first inner band and wrapped with glass or carbon fibers.